Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for locating an efficient server among servers mirroring a network site, comprising:

receiving by a first server an incoming connection from a client in communication with said servers over a network;

providing a first efficiency rating for communication between the first server and the client;

determining a second efficiency rating for communication between a ~~the~~ second server and the client, wherein said determining the second efficiency rating is based in part on a predicted reliability rating associated with the second server; and

directing the client to subsequently communicate with the second server when the second efficiency rating is better than the first efficiency rating.

2. (Original) The method of claim 1, wherein said providing the first efficiency rating comprises a selected one of: measuring communication efficiency between the first server and the client, and looking-up a previously measured communication efficiency between the first server and the client.

3. (Currently Amended) The method of claim 1, further comprising:

wherein said directing ~~by the first server~~ comprises returning a network resource to the client containing at least one reference therein to the second server.

4. (Original) The method of claim 3, wherein the at least one reference comprises a web page element linking to the second server such that activation thereof by the client causes the client to contact the second server.

5. (Original) The method of claim 3,

wherein the network resource received from the first server comprises a tag based data structure having embedded identifiers specifying resources located on the network, and

wherein the at least one reference is an embedded identifier specifying a network resource of the second server.

6. (Original) The method of claim 1, further comprising:

returning a network resource to the client;

configuring the network resource so as to cause the client to contact the second server so that the second server can measure a second efficiency rating for communication with the client; and

retrieving the second efficiency rating.

7. (Original) The method of claim 1, wherein each of said servers store efficiency ratings on a commonly accessible storage device.

8. (Currently Amended) The method of claim 1, further comprising:

storing efficiency ratings for communication with the client on a ~~local~~ storage device; and

retrieving at least one of said stored efficiency ratings from said second server over a communication channel different from the network.

9. (Currently Amended) The method of claim 1, wherein said providing the efficiency rating comprises determining an end-user delay between the client requesting a first network resource[s] from at least one of said servers, and the client's receiving said requested first network resource therefrom.

10. (Original) The method of claim 1, wherein the incoming connection from the client is generated by a browser, and wherein the efficiency rating measures efficiency of delivering web page resources to the client.

11. (Original) The method of claim 1, further comprising:

contacting a resolution service so as to determine the first server has a closest geographical proximity to the client;

contacting the first server in accordance with its being geographically closest to the client; and

contacting the second server in accordance with the second server having the higher efficiency rating notwithstanding the first server being geographically closest to the client.

12. (Currently Amended) An article, comprising a storage medium having instructions encoded thereon for execution by a processor, said instructions capable of directing the processor to perform:

receiving by a first server an incoming connection from a client in communication with said servers over a network;

providing a first efficiency rating for communication between a ~~the~~ first server and the client, wherein said providing comprises a selected one of: measuring communication efficiency between the first server and the client, and looking-up a previously measured communication efficiency between the first server and the client;

determining a second efficiency rating for communication between a ~~the~~ second server and the client, wherein said determining the second efficiency rating is based in part on a predicted reliability rating associated with the second server; and

directing the client to subsequently communicate with the second server when the second efficiency rating is better than the first efficiency rating.

13. (Currently Amended) The article ~~apparatus~~ of claim 12, wherein said instructions for directing the client to subsequently communicate with the second server comprise instructions to direct the processor to perform:

returning a network resource to the client containing at least one reference therein to the second server.

14. (Currently Amended) The article ~~apparatus~~ of claim 13, wherein the at least one reference comprises a web page element linking to the second server such that activation thereof by the client causes the client to contact the second server.

15. (Currently Amended) The article ~~apparatus~~ of claim 13,

wherein the network resource received from the first server comprises a tag based data structure comprising embedded identifiers specifying resources located on the network, and

wherein the at least one reference is an embedded identifier specifying a network resource of the second server.

16. (Currently Amended) The article ~~apparatus~~ of claim 12, said instructions including further instructions for:

returning a network resource to the client;

configuring the network resource so as to cause the client to contact the second server so that the second server can measure a second efficiency rating for communication with the client; and

retrieving the second efficiency rating.

17. (Currently Amended) The article ~~apparatus~~ of claim 12, wherein each of said servers stores measured communication efficiency ratings on a commonly accessible networked storage device.

18. (Currently Amended) The article ~~apparatus~~ of claim 12, said instructions including further instructions for:

storing by the first server and the second server of efficiency ratings for communication with the client on a ~~local~~ storage device associated thereto;

wherein the first server retrieves stored efficiency ratings from said second over a communication channel different from the network.

19. (Currently Amended) The article ~~apparatus~~ of claim 12, wherein said instructions for measuring efficiency ratings include further instructions for:

determining an end-user delay between requesting a first network resource[s] from said servers, and the client's receiving said requested first network resource[s] in response thereto.

20. (Currently Amended) The article ~~apparatus~~ of claim 12, wherein the incoming connection from the client is generated by a browser, and wherein the efficiency rating measures efficiency of delivering web page resources to the client.

21. (Currently Amended) The article ~~apparatus~~ of claim 12, said instructions including further instructions for:

providing a network site identifier to a resolution service for determining a geographically closest server of said servers mirroring the network site~~, locating hosting server geographically closest to the client, wherein the first server is closest to the client~~;

contacting said ~~fist one~~ geographically closest server in accordance with its being geographically closest to the client; and

contacting the second server in accordance with the second server having the higher efficiency rating notwithstanding the first server being geographically closest to the client.

22. (Currently Amended) A method, comprising:

determining a first server being geographically closer to a client than a second server;

determining a first efficiency rating of communication between the client and the first server;

determining a second efficiency rating of communication between the client and the second server, wherein said determining the second efficiency rating is based in part on a predicted reliability rating associated with the second server; and

evaluating whether the second efficiency rating exceeds the first efficiency rating, and if so, providing a web page of the first server which contains content linking to the second server.

23. (Original) The method of claim 22, further comprising:

determining said first efficiency rating based in part on first contacting, by the client, of the first server; and

determining said second efficiency rating based at least on part on second contacting, by the first server, of the second server.

24. (Currently Amended) The method of claim 23, further comprising:

maintaining by the second server [of] a rating table indexed according to client network addresses;

storing in said table an entry for each site hosting a copy of the web site, each entry indicating a measured communication efficiency between the client and each corresponding hosting site; and

sending to the first server said measured communication efficiency between the second server and the client.

25. (Original) The method of claim 24, wherein measuring communication efficiency between the client and the first and second servers comprises:

first requesting first network resources from the first server, and determining a first end-user delay for the client in receiving said first network resources; and

configuring said first network resources to include web page data to cause the client to perform a second requesting of second network resources from the second server; and

determining a second end-user delay for the client in receiving said second network resources.

26. (Original) The method of claim 22, further comprising:

if the second efficiency rating exceeds the first efficiency rating, then receiving a web page from the first server with all web links directed towards the second server; and

if the first efficiency rating exceeds the second efficiency rating, then receiving the web page from the first server with all web links directed towards the first server.

27. (Currently Amended) An article comprising a storage medium having instruction encoded thereon, said instructions, which when executed by a processor, are capable of directing the processor to:

determine a first server being geographically closer to a client than a second server;

determine a first efficiency rating of communication between the client and the first server;

determine a second efficiency rating of communication between the client and the second server, wherein said determining the second efficiency rating is based in part on a predicted reliability rating associated with the second server; and

evaluate whether the second efficiency rating exceeds the first efficiency rating, and if so, provide a web page of the first server which contains content linking to the second server.

28. (Original) The article of claim 27, said instructions including further instructions to:

determine said first efficiency rating based in part on first contacting, by the client, of the first server; and

determine said second efficiency rating based at least on part on second contacting, by the first server, of the second server.

29. (Currently Amended) The article of claim 28 said instructions including further instructions to:

maintain by the second server [of] a rating table indexed according to client network addresses;

store in said table an entry for each site hosting a copy of the web site, each entry indicating a predicted communication efficiency between the client and each corresponding hosting site; and

send to the first server, responsive to said contacting by the first server, said predicted communication for the second server and the client.

30. (Original) The article of claim 29, wherein predicting communication efficiency between the client and the first and second servers comprises:

first request first network resources from the first server, and determine a first end-user delay for the client in receiving said first network resources;

configure said first network resources to include web page data to cause the client to perform a second request of second network resources from the second server; and

determine a second end-user delay for the client in receiving said second network resources.

31. (Original) The article of claim 27, said instructions including further instructions to:

determine if the second efficiency rating exceeds the first efficiency rating, and if so, then receive a web page from the first server with all web links directed towards the second server; and

determine if the first efficiency rating exceeds the second efficiency rating, and if so, then receive the web page from the first server with all web links directed towards the first server.